

March 1, 2012

VIA ELECTRONIC FILING

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

Re: EB Docket 06-36, Annual 47 C.F.R. § 64.2009(e) CPNI Certification Filing of Bright House Networks, LLC

Dear Ms. Dortch:

Pursuant to Section 64.2009(e) of the Commission's Rules, 47 C.F.R. § 64.2009(e), enclosed for filing in the above-referenced docket is the executed annual CPNI Certificate of Compliance of Bright House Networks, LLC ("Bright House") and its affiliates. Further, as mandated by the Commission's regulations, attached to the certificate is a statement concerning the procedures employed by Bright House to ensure compliance with the Commission's CPNI regulations.

Please contact the undersigned counsel for Bright House if you have any questions about this matter. Thank you.

Respectfully submitted,



K.C. Halm
Counsel for Bright House Networks, LLC

cc: Best Copy and Printing, Inc.

Enclosures

CERTIFICATE OF COMPLIANCE

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2012 Covering Calendar Year 2011

Date filed: March 1, 2012

Name of companies covered by this certification:

Bright House Networks, LLC; 499 Filer ID 825461

Bright House Networks Information Services (Alabama), LLC; 499 Filer ID 825038

Bright House Networks Information Services (California), LLC; 499 Filer ID 825472

Bright House Networks Information Services (Florida), LLC; 499 Filer ID 824478

Bright House Networks Information Services (Indiana), LLC; 499 Filer ID 825452

Bright House Networks Information Services (Michigan), LLC; 499 Filer ID 825451

Name of signatory: Mr. William A. Futch

Title of signatory: Vice President, Customer Care, Bright House Networks, LLC

Certification: I, William A. Futch, certify that I am an officer of Bright House Networks, LLC and, acting as an agent of Bright House Networks, LLC, and its affiliates identified above (collectively, "Bright House" or "the Company"), that I have personal knowledge that the Company, and its affiliates, have established operating procedures, summarized in the attached statement, that are adequate to ensure compliance with the Commission's rules governing use and disclosure of confidential proprietary network information ("CPNI"), as governed by Section 222 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, and as set forth in Part 64, Subpart U of the of the Commission's rules, 47 C.F.R. §§ 64.2001 *et seq.* Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

In November and December of 2011, Bright House received three separate consumer complaints of unusual account activity which Bright House determined resulted in the unauthorized disclosure of the CPNI of four Bright House customers on a limited basis. Specifically, as the company reported in its CPNI breach notice to law enforcement, an individual modified our customers' contact information and manipulated the company's automated authentication and verification call-in system in order to gain access to our customers' accounts. The individual used this access to turn on call forwarding and have the customers' incoming calls forwarded to the individual's phone number. Upon learning of this breach, Bright

House notified law enforcement personnel through the requisite breach reporting facility, as required by applicable regulations, and subsequently took the necessary action to terminate the unauthorized access. Bright House also terminated the call forwarding and modified its authentication and verification system to prevent any further exploitation of the method used to breach the system. The Company does not believe the unauthorized actors were "data brokers" and has not taken any actions against data brokers in the past year. Specifically, no proceedings have been instituted, nor have any petitions been filed by the Company at either state commissions, the court system, or at the Commission in the past year. Other than the information provided herein, the Company does not have any information with respect to the processes pretexters are using to attempt to access CPNI and what steps companies are taking to protect CPNI.

The Company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The Company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

A handwritten signature in black ink, appearing to read "William A. Futch", written over a horizontal line.

WILLIAM A. FUTCH

Bright House Networks, LLC

Executed: February 28, 2012

STATEMENT CONCERNING PROCEDURES
OF BRIGHT HOUSE NETWORKS, LLC AND AFFILIATES
TO ENSURE COMPLIANCE WITH CPNI REGULATIONS

The internal operating procedures and practices of Bright House Networks, LLC and its affiliates¹ identified in footnote one below, (collectively, “Bright House” or “the Company”) are adequate to ensure the Company’s compliance with the FCC’s rules governing the use and disclosure of CPNI. *See* 47 C.F.R. § 64.2001, *et. seq.* Compliance with such rules is demonstrated by the policies, practices, training and audit procedures described herein. Following is a brief explanation of the procedures that Bright House employs to ensure such compliance.

Authentication and Password Safeguards. The Company has implemented specific policies and procedures to comply with the FCC’s most recent rules concerning access to, and disclosure of, CPNI and call detail records (collectively “CPNI” as used herein). To that end, before a customer may access his or her CPNI (directly or indirectly), the Company first authenticates the customer without using readily available biographical information (i.e. without the use of social security number, telephone number, account number, bill amount, mother’s maiden name, address, date of birth, etc.) and without using caller ID. Instead, authentication is accomplished by providing a randomly generated password to the customer.

Use of CPNI for Marketing Is Limited. Bright House does not use CPNI for the purpose of marketing service offerings among the different categories of service that Bright House provides to subscribers. Bright House does not currently use CPNI to market service offerings among the same category of service to which the customer already subscribes.

Release of CPNI to Third Parties Strictly Limited. Bright House will only release or disclose CPNI to a third party with the customer’s written and notarized consent, or pursuant to a valid request from law enforcement, the federal judiciary or other appropriate authority. For example, without the customer’s written and notarized consent, customer information will only be disclosed after the requesting party demonstrates that the request is made pursuant to a valid subpoena, court order, search warrant or other legally authorized request.

Release of CPNI to Third Party Vendors. Bright House will only release CPNI to third party vendors pursuant to a written agreement containing the appropriate restrictions regarding the confidentiality and safeguarding of customer information, and then only for the limited purpose of initiating, rendering, billing and/or collecting for services rendered to the subscribers of Bright House. Further, the agents of Bright House do not discuss call detail information over the phone unless (1) the customer is able to provide the relevant call detail information to the agent without the agent’s assistance; (2) the customer provides a customer-initiated password that was established without using account information or readily available biographical information; or (3) the agent calls the customer at the telephone number of record.

¹ The following Bright House Networks Information Services companies are covered by this statement of procedures: Bright House Networks Information Services (Alabama), LLC; Bright House Networks Information Services (California), LLC; Bright House Networks Information Services (Florida), LLC; Bright House Networks Information Services (Indiana), LLC; and, Bright House Networks Information Services (Michigan), LLC.

Online Access Pursuant to Password Protections. Bright House does not provide online access to any CPNI until the customer requesting such access provides a password that has been established by the customer without the use of readily available biographical information or account information.

Release of CPNI at Retail Locations. Bright House does not disclose CPNI to a customer at a retail location until the customer presents a valid photo ID matching the customer's account information.

Notice of Breach. As soon as practicable, and in no event later than seven (7) business days upon learning of a breach, Bright House will notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) by electronic means as required by FCC regulations. Bright House will not, under any circumstances, except as provided below, notify customers or disclose a breach to the public until seven (7) full business days have passed after notification to the USSS and the FBI. If the Company receives no response from law enforcement after the 7th full business day, it will promptly proceed to inform the customers whose CPNI was disclosed of the breach. However, Bright House will delay notification to customers or the public upon request of the FBI or USSS.

Notice of Account Changes. Bright House will notify a customer immediately whenever the customer's password, means of authentication, online account or address associated with the account is created or changed. The notification will be made by mail to the pre-existing (not changed) address associated with the account or by phone to the service phone number and will not reveal the changed information.

Additional Processes to Ensure Compliance. Bright House employs a variety of internal and external operating procedures to ensure compliance with CPNI regulations. Such procedures include:

- A) The publication of a corporate privacy policy on Bright House's website and circulation of a CPNI-specific policy within the Company.
- B) Regular communications with Bright House's staff concerning federal, state and local legal requirements governing the use and disclosure of personally identifiable information, including CPNI.
- C) Security systems limiting employee access to subscriber information in paper or electronic form, including CPNI.
- D) Processes for the maintenance of records of those occasions when CPNI is released to third parties.
